

**Supreme Court of Prince Edward Island
Small Claims Section**

**Notice of Garnishment
Form 20E**

Claim no.

Amount unsatisfied \$

[SEALED]

Creditor

Full name		
Address for service		
Phone no.	Fax no. (if any)	Email (optional)
Creditor's Lawyer/Agent (Full Name)		
Lawyer/Agent's address for service		
Lawyer/Agent's phone no.	Lawyer/Agent's fax no. (if any)	Email (optional)

Debtor

Full name		
Address for service		
Phone no.	Fax no. (if any)	Email (optional)
Debtor's Lawyer/Agent (Full Name)		
Lawyer/Agent's address for service		
Lawyer/Agent's phone no.	Lawyer/Agent's fax no. (if any)	Email (optional)

Garnishee

Full name		
Address for service		
Phone no.	Fax no. (if any)	Email (optional)

TO: Garnishee

A LEGAL PROCEEDING in this court between the creditor and the debtor has resulted in an order that the debtor pay a sum of money to the creditor. The creditor claims that you owe a debt to the debtor. A debt to the debtor includes both a debt payable to the debtor and a debt payable to the debtor and one or more co-owners. The creditor has had this notice of garnishment directed to you as garnishee in order to seize any debt that you owe or will owe to the debtor. Where the debt is payable to the debtor and to one or more co-owners, you must pay one-half of the indebtedness or a greater or lesser amount specified in an order made under subrule 20.08(15).

Subject to the exemptions provided by section 17 of the Garnishee Act

YOU ARE REQUIRED TO PAY to Sheriff Services. Cheques are payable to Minister of Finance

- a) within ten days after this notice is served on you, all debts now payable by you to the debtor; and
- b) within ten days after they become payable, all debts that become payable by you to the debtor within twenty-four (24) months after this notice is served on you.

The total amount of all your payments to the Sheriff is not to exceed \$

IF YOU DO NOT PAY THE TOTAL AMOUNT OR SUCH LESSER AMOUNT AS YOU ARE LIABLE TO PAY UNDER THIS NOTICE WITHIN TEN DAYS after this notice is served on you, you must file with the clerk the garnishee's statement (Form 20F) signed by you setting out the particulars of why you have not done so. **A copy of the garnishee statement is also to be mailed to the creditor.**

EACH PAYMENT MUST BE SENT to the Sheriff at the address shown below.

Note: Any garnished funds received by the court will be made payable to the judgment creditor in all instances, unless an irrevocable letter of direction is received from the judgment creditor directing otherwise.

IF YOU FAIL TO OBEY THIS NOTICE, AN ORDER MAY BE OBTAINED AGAINST YOU BY THE CREDITOR FOR PAYMENT OF THE AMOUNT SET OUT ABOVE ON THE COSTS OF THE CREDITOR AS MAY BE ORDERED BY THE COURT.

IF YOU MAKE PAYMENT TO ANYONE OTHER THAN THE SHERIFF, YOU MAY BE LIABLE TO PAY AGAIN.

TO THE CREDITOR, THE DEBTOR AND THE GARNISHEE:

Any party may make a garnishment hearing to determine any matter in relation to this Notice of Garnishment.

(Date)

(Signature of Clerk)

THIS NOTICE SHALL BE SERVED TOGETHER WITH THE GARNISHEE'S STATEMENT (FORM 20F) ON THE GARNISHEE.